

OHIO

SENATE

JOURNAL

THURSDAY, DECEMBER 15, 2011

ONE HUNDRED TWENTY-FIFTH DAY
Senate Chamber, Columbus, Ohio
Thursday, December 15, 2011, 11:00 o'clock a.m.

The Senate met pursuant to adjournment.

Pursuant to Senate Rule No. 3, the Clerk called the Senate to order.

Senator Obhof was selected to preside according to the rule.

The journal of the last legislative day was read and approved.

REPORTS OF STANDING AND SELECT COMMITTEES

Senator Oelslager submitted the following report:

The standing committee on Health, Human Services and Aging, to which was referred **S. B. No. 247**-Senator Balderson, et al., having had the same under consideration, reports it back and recommends its passage.

Co-Sponsor: Brown.

YES - 9: TROY BALDERSON, KRIS JORDAN, PEGGY B. LEHNER, DAVE BURKE, SCOTT OELSLAGER, SHIRLEY A. SMITH, CHARLETA B. TAVARES, EDNA BROWN, SHANNON JONES.

NO - 0.

The question being, "Shall the report of the committee be accepted?"

The report of the committee was accepted.

HOUSE AMENDMENTS TO SENATE BILLS AND RESOLUTIONS

The amendments of the House of Representatives to:

Am. Sub. S. B. No. 165-Senators Obhof, Grendell. Cosponsors: Senators Faber, Hughes, Jones, Jordan, Schaffer, Seitz, Sawyer, Hite, Bacon, Beagle, Brown, Coley, Daniels, LaRose, Lehner, Manning, Niehaus, Oelslager, Patton, Wagoner, Widener, Wilson. Representatives Baker, Roegner, Butler, Hayes, Adams, J., Anielski, Boose, Brenner, Bulp, Dovilla, Hackett, Henne, Hill, Maag, Martin, Newbold, Ruhl, Slaby, Stebelton, Terhar, Thompson, Young.

To amend sections 3301.079, 3301.0712, 3313.60, and 3313.603 and to enact section 3319.23 of the Revised Code to include content on specified historical documents in the state academic standards and in the high school American history and government curriculum, having been informally passed, were taken up.

The question being, "Shall the Senate concur in the amendments of the House of Representatives?"

Senator Hite moved that the House amendments to **Am. Sub. S. B. No. 165**, be informally passed and that they be taken up for consideration on: Tuesday, January 10, 2012.

The question being, "Shall the motion be agreed to?"

The motion was agreed to.

INTRODUCTION AND FIRST CONSIDERATION OF BILLS

The following bills were introduced and considered the first time:

S. B. No. 270-Senator Brown.

Cosponsors: Senators Kearney, Tavares.

To amend sections 120.03, 120.06, 120.14, 120.16, 120.18, 120.24, 120.26, 120.28, 120.33, 120.34, 1901.183, 2152.13, 2152.67, 2301.20, 2307.60, 2313.37, 2701.07, 2743.51, 2901.02, 2909.24, 2929.02, 2929.13, 2929.14, 2941.021, 2941.14, 2941.148, 2941.401, 2941.43, 2941.51, 2945.06, 2945.21, 2945.25, 2945.33, 2945.38, 2949.02, 2949.03, 2953.02, 2953.07, 2953.08, 2953.09, 2953.10, 2953.21, 2953.23, 2953.71, 2953.72, 2953.81, 2967.05, 2967.13, 2967.193, 2971.03, 2971.07, 5120.113, 5120.61, and 5919.16 and to repeal sections 109.97, 120.35, 2929.021, 2929.022, 2929.023, 2929.024, 2929.03, 2929.04, 2929.05, 2929.06, 2947.08, 2949.21, 2949.22, 2949.24, 2949.25, 2949.26, 2949.27, 2949.28, 2949.29, 2949.31, and 2967.08 of the Revised Code to abolish the death penalty and to declare an emergency.

S. B. No. 271-Senator LaRose.

Cosponsors: Senators Seitz, Jones, Manning, Widener, Eklund, Burke, Coley, Sawyer, Patton, Jordan, Schaffer, Beagle, Hite, Wagoner.

To amend sections 4927.07, 4927.08, 4927.11, and 4927.12 and to enact section 4927.10 of the Revised Code to establish certain exemptions for incumbent local exchange carriers determined to be fully competitive, and, regarding the provision of basic local exchange service, other telephone companies operating in the same areas.

OFFERING OF RESOLUTIONS

Pursuant to Senate Rule No. 54, the following resolution was offered:

S. R. No. 172-Senator Patton.

Honoring the Strongsville High School girls soccer team on winning the 2011 Division I State Championship.

The question being, "Shall the resolution listed under the President's prerogative be adopted?"

So the resolution was adopted.

COMMUNICATIONS FROM THE GOVERNOR

The President handed down the following messages from the Governor which were read by the Clerk:

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Bradley A. Phillips, from Beavercreek, Greene County, Ohio, as a Member of the Clark State Community College Board of Trustees for a term beginning October 14, 2011 and ending at the close of business November 30, 2016, replacing O. Lester Smithers, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 14th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Geoffrey A. Phillips, Republican, from Wilmington, Clinton County, Ohio, as a Member of the Ohio Cultural Facilities Commission for a term beginning September 7, 2011 and ending at the close of business December 31, 2013.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 7th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Joshua Michael Prest, from Youngstown, Mahoning County, Ohio, as a Student Member of the Youngstown State Community University Board of Trustees for a term beginning September 20, 2011 and ending at the close of business May 1, 2013, replacing Stephen Foley, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 20th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Dwight E. Radcliff, Democrat, from Circleville, Pickaway County, Ohio, as a Member of the Ohio Organized Crime Investigations Commission for a new term beginning September 16, 2011 and ending at the close of business September 3, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 16th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Etta Marie Reed, Democrat, from West Chester, Butler County, Ohio, as a Member of the Ohio Soil and Water Conservation Commission for a term beginning September 28, 2011 and ending at the close of business June 30, 2013, replacing Donna Shipley, who resigned.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 28th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Mark E. Ridenour, from Sylvania, Lucas County, Ohio, as a Member of the Miami University Board of Trustees for a term beginning September 13, 2011 and ending at the close of business February 28, 2020, replacing John S. Christie, whose term expired.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 13th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, David S. Schnaidt, Republican, from Granville, Licking County, Ohio, as a Member of the State Auctioneer's Commission for a new term beginning October 11, 2011 and ending at the close of business October 9, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 11th day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Gary Silverman, from Bowling Green, Wood County, Ohio, as a Member of the State Board of Sanitarian Registration for a new term beginning September 19, 2011 and ending at the close of business August 14, 2014.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 19th day of September in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Dudley G. Smith, from Cleves, Hamilton County, Ohio, as a Member of the Ohio Medical Transportation Board for a term beginning August 30, 2011 and ending at the close of business July 5, 2013.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 30th day of August in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

**STATE OF OHIO
EXECUTIVE DEPARTMENT
OFFICE OF THE GOVERNOR
COLUMBUS**

I, John R. Kasich, Governor of the State of Ohio, do hereby appoint, Gary P. Thieman, from Toledo, Lucas County, Ohio, as a Member of the University of Toledo Board of Trustees for a term beginning October 21, 2011 and ending at the close of business July 1, 2017.

IN WITNESS WHEREOF, I have hereunto subscribed my name and caused the Great Seal of the State of Ohio to be affixed, at Columbus, this 21st day of October in the year of our Lord, two thousand and eleven.

[Seal]

John R. Kasich,
Governor.

Said appointments were referred to the Committee on Rules and Reference.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 275 -Representatives Young, Slaby
Cosponsors: Representatives Henne, Bulp, Combs, Hollington, Hackett, Thompson, Adams, J., Adams, R., Newbold

To amend section 1345.09 and to enact section 1345.092 of the Revised Code to allow suppliers and consumers to enter into a Right to Cure agreement.

Attest:

Thomas L. Sherman,
Clerk.

Said bill was considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Sub. H. B. No. 18 -Representative Baker
Cosponsors: Representatives Adams, J., Beck, Blair, Blessing, Boose, Combs, Derickson, Dovilla, Hayes, Henne, Huffman, Pillich, Ruhl, Snitchler, Stinziano, Uecker, Letson, Anielski, Barnes, Bulp, Buchy, Driehaus, Duffey, Garland, Grossman, Hackett, Hagan, C., Hall, Hill, Johnson, Kozlowski, Landis, Lundy, Maag, Martin, McClain, Milkovich, Newbold, Sears, Slaby, Sprague, Terhar, Winburn, Young, Speaker Batchelder

To amend section 166.03 and to enact section 166.31 of the Revised Code

to authorize grants to an employer that moves operations into a previously vacant facility and increases payroll by hiring and employing employees at the facility.

Attest: Thomas L. Sherman,
Clerk.

Said bill was considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the House of Representatives has passed the following bill in which the concurrence of the Senate is requested:

Am. H. B. No. 389 -Representatives Hall, Okey

Cosponsors: Representatives Letson, Grossman, Boose, Conditt, Thompson, Buchy, Combs, Murray, O'Brien, Peterson, Hagan, C., McClain, Amstutz, Slaby, Landis, Adams, R., Barnes, Blessing, Bubb, Carney, Clyde, Derickson, Fedor, Fende, Gardner, Garland, Gerberry, Goyal, Hackett, Henne, Hill, Johnson, Kozlowski, Luckie, Lundy, Mallory, Milkovich, Newbold, Phillips, Pillich, Ramos, Roegner, Ruhl, Sears, Sprague, Szollosi, Uecker, Weddington, Young, Yuko, Speaker Batchelder

To amend sections 901.511, 918.12, 943.01, 1531.01, 1533.01, 1533.71, 1533.721, 1533.731, 1533.74, 1533.76, 1533.77, 1533.79, and 1533.99, to enact sections 943.20 to 943.26, and to repeal sections 1533.70, 1533.75, and 1533.80 of the Revised Code to establish requirements and procedures governing propagating and hunting captive deer and to revise the law governing wild animal hunting preserves.

Attest: Thomas L. Sherman,
Clerk.

Said bill was considered the first time.

Message from the House of Representatives

Mr. President:

I am directed to inform you that the Speaker of the House of Representatives has signed the following bill:

Sub. H. B. No. 369 -Representative Huffman - et al.

Attest: Thomas L. Sherman,
Deputy Clerk.

The President signed said bill.

On the motion of Senator Hite, the Senate adjourned until Monday,
December 19, 2011 at 11:00 o'clock a.m.

Attest: VINCENT L. KEERAN,
Clerk.